

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
3

4 LAURIE GIBBS HARRIS, No. C 10-01763 CW

5 Plaintiff,

6 v.

7 NORTHWESTERN INVESTMENT  
MANAGEMENT COMPANY, LLC;  
8 NORTHWESTERN MUTUAL LIFE  
INSURANCE COMPANY; and DOES 1  
9 through 20, inclusive,

ORDER REGARDING  
PLAINTIFF'S  
CERTIFICATION THAT  
CONSIDERATION FOR  
SETTLEMENT HAS NOT  
YET BEEN RECEIVED  
(Docket No. 99)

10 Defendants.

11 \_\_\_\_\_ /  
12  
13 On September 19, 2011, upon having been advised that the  
14 parties had agreed to a settlement, the Court entered a  
15 conditional order of dismissal of this cause. In that order, the  
16 Court stated that if any party certified to the Court, with proof  
17 of service upon the opposing counsel, within ninety days, that the  
18 agreed consideration for the settlement had not been delivered,  
19 the order would be vacated and the cause restored to the calendar  
20 to be set for trial.

21 On December 19, 2011, Plaintiff Laurie Gibbs Harris certified  
22 to the Court that consideration for the settlement of this matter  
23 has not yet been delivered. Plaintiff stated that the parties  
24 have been unable to reach an agreement on the allocation of the  
25 settlement funds and the timing for payment thereof.

26 Accordingly, the Court extends the conditional dismissal for  
27 ninety days from the date of this Order. The parties shall return  
28 to private mediation for further settlement discussions within

1 thirty days of the date of this Order. Plaintiff shall file a  
2 motion to enforce the settlement within thirty days of the date of  
3 this Order.

4 IT IS SO ORDERED.

5  
6 Dated: 12/21/2011

  
CLAUDIA WILKEN  
United States District Judge